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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,286	01/22/2001	Mari Horiguchi	450101-02512	3913

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NEW YORK, NY 10151

EXAMINER
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MAURO JR, THOMAS J

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application

09/744,286

Applicant(s)

HORIGUCHI, MARI

Examiner

Thomas J. Mauro Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3,4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-22 are pending and are presented for examination. A formal action on the merits of claims 1-22 follows.

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 5 recites the limitation "the sole information" in line 2. There is insufficient antecedent basis for this limitation in the claim. The term "the sole information" is never used in any of the preceding claims, i.e. claims 3 or 4) which would give proper antecedent basis.

5. Claims 4, 9, 15 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claims 4, 9, 15 and 20 are indefinite as it is unknown what is meant by "an attempt". This phrase has not been defined or used to properly ascertain the meaning anywhere else in the claims.

As detailed in this section, Applicant is required to remedy the failure to provide antecedent basis for all the claimed limitations and elements and to provide proper meaning for indefinite terms. It is the responsibility of the Applicant to present claims which “particularly point[] out and distinctly claim[] the subject matter which the Applicant regards as [the] invention.” Applicant is required to revise each of the pending claims such that problems of this sort are obviated.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-2 and 6-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Mano et al. (U.S. 5,793,366).

With respect to claim 1, Mano teaches an information processor controlled by apparatuses connected to each other via a network, comprising:

a predetermined description area to which write can be made from outside [**Mano -- Figure 2 and Col. 4 lines 35-46 – Predetermined area to which icons can be written is the bus display windows (14)**]; and

means for creating, upon reception from an external apparatus of a command for creation in the description area of a predetermined object whose identification information is managed by the external apparatus, an object whose sole information in the identification information is set to a predetermined value and for which the length of a field in which the object can be written is set to a predetermined one **[Mano -- Col. 5 lines 7-25 -- Device ID, contained with device itself is transmitted to the system which then creates an object, i.e. icon, in the predetermined area with a predetermined value, i.e. graphic, to show connectivity].**

With respect to claim 2 Mano further teaches wherein the object creating means deletes the object whose identification information is the predetermined value just after the predetermined description area is forcibly closed **[Mano -- Col. 3 lines 53-57 and lines 60-63 -- When the system windows is forcibly closed, i.e. system is powered off or exited, all objects, i.e. icons, from the current session are deleted. When powered on again, system must re-initialize and re-identify each object, as was shown in claim 1].**

With respect to claims 6-7, these are method claims corresponding to the apparatus claimed in claims 1-2. They have similar limitations; therefore, claims 6-7 are rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3-5 and 8-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mano et al. (U.S. 5,793,366) in view of the English translation of Kobayashi et al. (JP 09-305468).

Regarding claim 3, Mano teaches an information processor controlled by apparatus connected to each other via a network, comprising:

means for managing the identification information for at least a predetermined object [Mano -- Col. 5 lines 10-20 – In order for a device, i.e. camcorder, to be recognized and to have an icon associated with it by providing its device ID and address, a table or other data structure is required to be employed to manage the identification of an object, i.e. icon with a device and physical ID/address]; and

means for issuing a command for operation of the predetermined object to external apparatuses capable of creating the predetermined object and having a predetermined description area to which write can be made from outside [Mano -- Col. 5 lines 7-25 – Device ID, contained with device itself is transmitted to the system which then creates an object, i.e. icon, in the predetermined area with a predetermined value, i.e. graphic, to show connectivity];

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Mano fails to explicitly teach rewriting object identification information after writing information to a field of an object.

Kobayashi, however, discloses a object management method which converts, i.e. rewrites formal object information after temporary object information has been stored [**Kobayashi -- Page 1 'Solution' and Page 3 paragraph [0022]]**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the rewriting of object information, as taught by Kobayashi into the invention of Mano, in order to provide a unique object identification means between devices of the same type, i.e. VCR1 and VCR2, which in turns guarantees uniqueness and efficient processing of objects.

Regarding claim 4, Mano-Kobayashi teach the invention substantially as claimed, as aforementioned in claim 3 above, including wherein the managing means rewrites the object identification information on an attempt [**Mano -- Col. 5 lines 35-41 – Rewrite occurs on an attempt, i.e. when device is powered off and back on again. It is obvious this is done to prevent distinction between devices of the same type**]

Regarding claim 5, Mano-Kobayashi teach the invention substantially as claimed, as aforementioned in claim 3 above, including wherein the managing means examines the content of the information in the predetermined-object identification information; and

when it is decided by the managing means that the sole information is the predetermined value, the operation instruction issuing means issues a command for deletion of the predetermined object to the external apparatuses [**Mano -- Col. 3 lines 63-66 and Col. 5 lines**

**35-53 – Underlying information associated with object, i.e. icon, namely information identifying the device and its address is continually monitored to detect any changes. If the value changes to a predetermined value to indicate device is disconnected or ‘powered off’, object, i.e. icon, is grayed out and later removed to indicate device is no longer connected].**

Regarding claims 8-10, these are method claims corresponding to the apparatus claimed in claims 3-5. They have similar limitations; therefore, claims 8-10 are rejected under the same rationale.

Regarding claim 11, Mano teaches an information processor for controlling apparatuses connected to each other via a network, comprising:

means for managing the identification information for at least a predetermined object [Mano -- Col. 5 lines 10-20 – **In order for a device, i.e. camcorder, to be recognized and to have an icon associated with it by providing its device ID and address, a table or other data structure is required to be employed to manage the identification of an object, i.e. icon with a device and physical ID/address]; and**

means for issuing a command for operation of the predetermined object to external apparatuses capable of creating the predetermined object and having a predetermined description area to which write can be made from outside [Mano -- Col. 5 lines 7-25 – **Device ID, contained with device itself is transmitted to the system which then creates an object, i.e. icon, in the predetermined area with a predetermined value, i.e. graphic, to show connectivity];**



Mano fails to explicitly teach rewriting object identification information using instructive information for updating and replacement of a previous write command.

Kobayashi, however, discloses an object management method which converts, i.e. rewrites formal object information after temporary object information has been written, thereby requiring that instruction commands be issued to update/replace the previous write command issued for the temporary ID [**Kobayashi -- Page 1 'Solution', Page 3 paragraph [0022], page 5 paragraphs [0050-0052] and page 11 paragraphs [0132-0133]**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate rewriting object identification information using instructive information for updating and replacement of a previous write command, as taught by Kobayashi into the invention of Mano, in order to provide a unique object identification means between devices of the same type, i.e. VCR1 and VCR2, which in turns guarantees uniqueness and efficient processing of objects.

Regarding claim 12, this is a method claim similar to the apparatus claimed in claim 11 above. It has similar limitations; therefore, claim 12 is rejected under the same rationale.

Regarding claim 13, Mano teaches an information processing system comprising:  
a first information processor including:

a predetermined description area to which write can be made from outside [**Mano -- Figure 2 and Col. 4 lines 35-46 -- Predetermined area to which icons can be written is the bus display windows (14)**]; and

means for creating, upon reception from an external apparatus of a command for creation in the description area of a predetermined object whose identification information is managed by the external apparatus, an object whose sole information in the identification information is set to a predetermined value and for which the length of a field in which the object can be written is set to a predetermined one [**Mano -- Col. 5 lines 7-25 – Device ID, contained with device itself is transmitted to the system which then creates an object, i.e. icon, in the predetermined area with a predetermined value, i.e. graphic, to show connectivity**]; and a second information processor including:

means for managing the identification information for at least a predetermined object [**Mano -- Col. 5 lines 10-20 – In order for a device, i.e. camcorder, to be recognized and to have an icon associated with it by providing its device ID and address, a table or other data structure is required to be employed to manage the identification of an object, i.e. icon with a device and physical ID/address**]; and

means for issuing a command for operation of the predetermined object to external apparatuses capable of creating the predetermined object and having a predetermined description area to which write can be made from outside [**Mano -- Col. 5 lines 7-25 – Device ID, contained with device itself is transmitted to the system which then creates an object, i.e. icon, in the predetermined area with a predetermined value, i.e. graphic, to show connectivity**];

Mano fails to explicitly teach rewriting object identification information after writing information to a field of an object.

Kobayashi, however, discloses a object management method which converts, i.e. rewrites formal object information after temporary object information has been stored [**Kobayashi -- Page 1 'Solution', Page 3 paragraph [0022], page 5 paragraphs [0050-0052] and page 11 paragraphs [0132-0133]]**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate rewriting object identification information using instructive information for updating and replacement of a previous write command, as taught by Kobayashi into the invention of Mano, in order to provide a unique object identification means between devices of the same type, i.e. VCR1 and VCR2, which in turns guarantees uniqueness and efficient processing of objects.

Regarding claims 14-16, these are system claims corresponding to the apparatus claimed in claims 2 and 4-5. They have similar limitations; therefore, claims 14-16 are rejected using the same rationale.

Regarding claim 17, Mano-Kobayashi teach the invention substantially as claimed, as aforementioned in claim 13 above, including wherein the managing means in the second information processor collectively rewrite, for an object created according to an object create command supplied from the operate command issuing means, the predetermined-object identification information using instructive information for updating a write command from the operation instruction issuing means after writing, using instructive information for partial replacement of the write command from the operation instruction issuing means, information to a

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field to which the predetermined object can be written [Kobayashi -- Page 1 'Solution', Page 3 paragraph [0022], page 5 paragraphs [0050-0052] and page 11 paragraphs [0132-0133] - Object management converts, i.e. rewrites formal object information after temporary object information has been written, thereby requiring that instruction commands be issued to update/replace the previous write command issued for the temporary ID].

Regarding claim 18, this is a method claim corresponding to the system claimed in claim 13. It has similar limitations; therefore, claim 18 is rejected under the same rationale.

Regarding claims 19-21, these are method claims corresponding to the apparatus claimed in claims 2 and 4-5. They have similar limitations; therefore, claims 19-21 are rejected using the same rationale.

Regarding claim 22, this is a method claim corresponding to the system claimed in claim 17. It has similar limitations; therefore, claim 22 is rejected under the same rationale.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Iwamura (U.S. 5,883,621) discloses a system which detects objects and retrieves object information from external devices to display a map of a digital system.
- Humpleman et al. (U.S. 6,466,971) discloses a method and system for command and control among a plurality of networked A/V devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 703-605-1234. The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJM

May 28, 2004

  
DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
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